

Columbus Parks and Recreation Department Employee and Volunteer Background Check Policy

Purpose

The Columbus Parks and Recreation Department (hereafter CPRD) values the safety of those who use our parks and facilities and take part in our programs, either as participants, employees, or volunteers. To this end, we will take sound measures to attempt to protect our employees, volunteers, and those we serve from potential harm.

We have special regard for children, who trust in our ability to provide them with wholesome, safe recreational experiences. One specific measure will be to perform background checks on employees and volunteers who have the potential for regular or intermittent contact with children. Background checks will also be required for independent contractors who have regular or intermittent unsupervised contact with children.

We also desire to preserve the resources of the department for their proper use, so we will also perform background checks on employees and volunteers who have duties that include driving City vehicles, handling department's funds or having access to inventories of equipment, supplies, and materials.

Special note should be taken that various independent organizations have their own background checks for members who would also qualify as Park and Recreation employees or as volunteers. In some cases (i.e. the sanctioning body for hockey leagues) have their own background check that they are not willing to waive. In such cases, the Director of Business Services for the CPRD may waive the CPRD background check in the interest of economy and preventing duplicative and overly burdensome regulation.

Parts of a Background Check

Background checks will be conducted by Southeastern Security Consultants, Inc., located in Marietta, Georgia, which specializes in obtaining criminal histories for public entities and youth sports organizations.

The check will include:

- Social Security verification
- Address trace
- Statewide criminal record check for all misdemeanor and felony convictions within Indiana
- Criminal record check in 38 states, as appropriate
- State Sex and Violent Offender registry

Scope

It is the policy of the Columbus Parks and Recreation Department to conduct background checks on the following individuals:

1. All new full-time employees
2. All new part-time, seasonal, or temporary employees who have contact with children as noted below, handle department funds, or have access to inventories of department equipment, supplies, and materials.

3. All new volunteers who have contact with children as noted below, drive City vehicles, handle department funds, or have access to inventories of department equipment, supplies, and materials in unsupervised situations.
4. All new independent contractors who have unsupervised contact with children as noted below.
5. All current full-time employees who have not been checked in two or more years.
6. All current part-time employees who have contact with children as noted below, handle department funds, or have access to inventories or department equipment, supplies, and/or materials, and have not been checked in two or more years.

Note: Seasonal and temporary employees, individuals who work only a portion of each year, will be considered to be new employees each time they return to work if their lapse in employment with the department is more than six months.

7. All current volunteers who have contact with children as noted below, handle department funds, or have access to inventories of department equipment, supplies, and/or materials in unsupervised situations, and have not been checked in two years or more.
8. Any employee or volunteer who will drive a City vehicle as part of his/her position responsibilities will have a driving record check performed through the Personnel Department of the City of Columbus.

Background checks do not need to be conducted on employees or volunteers who are under 15 years of age since criminal records are not available for juveniles.

Contact with Children

It is our policy to conduct background checks on employees and volunteers who have contact with children (persons under 18 years old) on a regular or an intermittent basis with titles such as but not limited to: coach, youth board member, playground leader, children's program instructor or director, lifeguard, skate guard, basket room attendant, recreation supervisor, bus driver, concession worker, custodian, maintenance worker, or clerical helper. Checks are not expected for and may be waived in certain circumstances where it would be impractical to perform such a check.

Process for New Employees, Independent Contractors, and Volunteers Requiring a Background Check

1. The applicant will complete the appropriate application form. (There is a separate form for full-time employees, part-time and seasonal employees and independent contractors. There is no application form for volunteers.)
2. Any applicant selected for a paid or volunteer position must complete a consent/release form and return it to the administrative office at Donner Center. In the case of a youth under 18 years of age, a parent or guardian must sign the consent/release in addition to the youth. The Director of Business Services (hereafter the DBS) or his designated person will fax the release form to Southeastern Security Consultants, Inc.
3. The individual cannot start work or volunteer service until the check has been completed.

4. If there is no criminal history, SSCI will send a report to the department within five workdays verifying that a check has been completed.

5. If there is a criminal history, SSCI will send a report to the DBS within five workdays. The DBS will contact the supervisor for the position being checked. A conviction for a crime does not automatically preclude employment or volunteer service, and individual circumstances will be considered, such as the nature and severity of the crime, the number of convictions, how long it has been since the conviction(s) occurred, and the duties of the position.

Process for Current Employees and Current Volunteers

1. This process will begin in January of 2004.

All current full-time, part-time, and seasonal/temporary employees, independent contractors with regular or intermittent unsupervised contact with children, as well as all current volunteers who work with children will be given a consent/release form, which shall be completed, signed, and turned in to the DBS, by January 30. In the case of a youth under 18 years of age, a parent or guardian must sign the consent/release in addition to the youth. The DBS will submit the release forms to SSCI.

2. SSCI will return a list of persons with no criminal history to the DBS within 5 workdays indicating the check has been completed.

3. If one or more persons have a criminal history, SSCI will send a report to the DBS within 5 workdays. The DBS will contact the person's supervisor, the Director of Parks and Recreation, and the Personnel Director of the City of Columbus. A conviction for a crime does not automatically preclude employment or volunteer service, and individual circumstances, such as the nature and severity of the crime, the number of convictions, how long it has been since the conviction occurred, and the duties of the position, will be considered.

Persons convicted of any of the following offenses automatically will be disqualified from employment or volunteer positions within the Columbus Parks and Recreation Department:

- Murder
- Voluntary manslaughter
- Reckless homicide
- Aggravated battery
- Kidnapping
- Criminal confinement
- Rape
- Criminal deviate conduct
- Child molesting
- Child exploitation
- Vicarious sexual gratification
- Child solicitation
- Child seduction
- Sexual battery
- Sexual misconduct with a minor, as a class A, or B felony
- Incest
- Carjacking
- Arson

- Contributing to the delinquency of a minor
- An offense involving a weapon under IC 35-47
- An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3
- Armed robbery

Due Process

If a record of criminal convictions is found, the employee or volunteer will be given a copy of the criminal history report and asked if it is accurate prior to any final decision. If the employee or volunteer disagrees with the accuracy of the report, the employee or volunteer may be placed on paid administrative leave until the information on the criminal history report can be verified. It will be up to the employee or volunteer to provide to SSCI any or all documentation to support his or her claim. SSCI will then provide an updated report, if appropriate.

The final decision about new or continued employment or volunteer service will be made by the DBS in conjunction with the Personnel Director of the City of Columbus. A similar process occurs when issues of concern are raised by driving records checks.

Within 20 days of notice of an adverse employment decision, an employee may request an executive session of the park board to appeal an adverse decision and may have legal counsel present and call witnesses. Such an appeal will be informal and the Indiana Rules of Evidence shall not apply. A majority of the members voting shall be required to overturn the decision. Any such appeal shall occur within 45 working days after the request in writing to the park board is delivered to the Donner Center office. A successful appeal shall not entitle the employee to pay from termination until reinstatement, but shall be a matter left to the discretion of the board. The park board will make any decision within 14 days of the hearing unless such time frame is waived by the employee.

Volunteers shall not have any such right of appeal.

Privacy

The privacy of the information obtained by the CPRD through the background check will be respected and not distributed or posted in public forums except as may be required by law. Information may be shared with the park board, members of the City Administration or City Council and the legal department or outside legal counsel as the need arises.

Cost

A \$15.00 fee will be charged to the department for a criminal background check performed by SSCI. All new employees and independent contractors shall pay the parks and recreation department the fee for the background check prior to the background check being conducted. The fees for all current employees will be paid from the Columbus Parks and Recreation General Fund. Fees for all volunteers, both new and current will be paid from program participant fees.

End of Policy

Revised 1/15/04

